

Applicants: GÖPFERICH, Achim et al.  
U.S. National Phase of PCT/EP 00/06313  
Serial No: 10/019,797

Att. Docket MB9962P

### **REMARKS**

Claims 1-6 and 9 to 59 are pending in the application, with claim 1 being independent and claims 12, 13 and 16 to 32 being withdrawn.

The Office Action rejected claims 1 to 6, 9 to 11, 14 and 15 under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Regarding this rejection, responsive to the Examiner's objection to the language "being at least one selected," Applicants have already amended this phrase, in Applicants' submission of January 10, 2008, to "being selected." Accordingly, reconsideration and withdrawal of the current rejection is respectfully requested.

The Office Action rejected dependent claims 9 and 11 under 35 U.S.C. 103(a) as allegedly being unpatentable over Domb et al. (WO 95/03356), and rejected dependent claim 11 under 35 U.S.C. 103(a) as allegedly being unpatentable over Domb et al. in view of Illum (U.S. Patent No. 4,904,479). Responsive to these rejections, Applicants have already noted, in its submission dated January 10, 2008, that independent claim 1 was rejected only on Domb et al. and have already amended that claim in that same submission. Since all of the limitations of amended, independent claim 1 are neither expressly nor inherently disclosed by Domb et al., the rejection of independent, amended claim 1 no longer has merit. In that January 10<sup>th</sup> submission, Applicants thus traversed the rejection as it related to "the currently presented claim 1 and all claims dependent therefrom." Moreover, in that January 10<sup>th</sup> submission, Applicants asserted that "all dependent claims are allowable at least because of their dependencies upon independent, amended claim 1, and further because of the additional limitations recited in those dependent claims." Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 9 and 11 under 35 U.S.C. §103(a).

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In view of the above, the Examiner is requested to consider the application now to be in condition for allowance, and an early indication of same is requested. The Examiner is invited to contact the undersigned with any questions.

The Commissioner is hereby authorized to charge any needed fees to deposit account 50-1600.

Respectfully submitted,



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Dated: March 31, 2008

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